1 2 3	DEVIN DERHAM-BURK #104353 CHAPTER 13 STANDING TRUSTEE P O Box 50013 San Jose, CA 95150-0013	
4	Telephone: (408) 354-4413 Facsimile: (408) 354-5513	
5	Trustee for Debtor(s)	
6		
7		
8	UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF CALIFORNIA - DIVISION 5	
10	In re:) Chapter 13
11	MIROYAN, MICHAEL HAROUTUN) Case No. 18-52601 MEH)
12) FIRST AMENDED) TRUSTEE'S OBJECTION TO
13) CONFIRMATION WITH CERTIFICATE OF SERVICE
14) Continued 341 Meeting Date and Time: February
15) 11, 2019 @ 9:30 AM
16) Judge: M. Elaine Hammond
17	Debtor(s)))
18		
19	Devin Derham-Burk, Trustee in the above matter, objects to the Confirmation of this Plan for the	
20	following reasons:	
21		
22	1. The Debtor has failed to appear and/or submit to examination under oath at the meeting	
23	of creditors under 11 U.S.C. §341(a). Without conducting this examination, the Trustee	
24	is unable to adequately investigate the Debtor's financial affairs as she is required to do	
25	pursuant to 11 U.S.C. §1302(b)(1) (incorporating 11 U.S.C. §704(a)(4)). In addition,	
26	until the Debtor is examined by the Trustee, she is unable to recommend confirmation of	
27	the Debtor's plan. The Trustee requests that the Debtor appear at a rescheduled meeting	
28	of creditors.	

- 2. The Debtor has failed to provide the Trustee with either or both 1) a government-issued photo identification, or 2) proof of a social security number. See 11 U.S.C. §521(h). Without being able to establish the identity of the Debtor, the Trustee is unable to adequately investigate the financial affairs of the Debtor or recommend confirmation. The Trustee requests that the Debtor provide her with verification of both identity and social security number.
- 3. The Debtor is ineligible for Chapter 13 relief, as his scheduled debts exceeds the secured limits of 11 U.S.C. §109(e).
- 4. The Trustee requests a copy of the 2017 Federal Tax Return for "Hawaiian Riverband LLC". Until the Debtor provides the requested information, the Trustee is unable to perform her duties under 11 U.S.C. §1302(b)(1) (incorporating 11 U.S.C. §704(a)(4)) and is unable to recommend confirmation.
- 5. The Debtor has not provided the Trustee with pay advices required by General Order 32 and/or with federal and state income tax returns (and W-2's if applicable) required to be filed for the most recent tax year ending before the commencement of the case. Because these documents have not been provided, the Trustee cannot perform the analysis needed in order to determine whether the tests for confirmation in 11 U.S.C. §1325 (a) and (b) are met. Until these documents are provided, the case will not be analyzed.

Dated: February 5, 2019 /S/ Devin Derham-Burk

Chapter 13 Trustee

CERTIFICATE OF SERVICE BY MAIL

I declare that I am over the age of 18 years, not a party to the within case; my business address is 983 University Ave. C-100, Los Gatos, California 95032. I served a copy of the within Trustee's First Amended Objection to Confirmation by placing same in an envelope in the U.S. Mail at Los Gatos, California on February 5, 2019.

Said envelopes were addressed as follows:

Michael Haroutun Miroyan P O Box 3181 Saratoga, CA 95070

> /S/ Mary Lou Amaral Office of Devin Derham-Burk, Trustee